

Honorable Henry Waxman, Ranking Member  
U.S. House of Representatives Committee on Energy and Commerce

Malibu Schools' Environmental Contamination Case

Dear Congressman Waxman,

Thank you for your prompt response to my letter of concern about environmental contamination at the Malibu High and Middle Schools, and the Juan Cabrillo Elementary School in Malibu, California. You should know that the problem is far greater than you have recounted.

First, the previously found contamination is not limited to PCBs. Asbestos and pesticide contamination has been documented at the schools, as well as banned pesticides, DDT, Chlordane, lead, arsenic, cadmium, DDE, benzene, and toluene. All of these toxins have been known to cause cancer and chronic health effects.

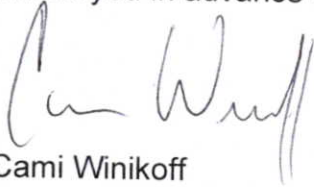
Second, the health effects are much greater than you are aware. Six teachers, so far, have been diagnosed with cancer (not two, as you have previously stated), and there have been ten cases of thyroid disease diagnosed, amongst other health concerns. The rate of incidence is far greater than occurs in the general population. For years, the school district tried to conceal its knowledge that there are a number of contaminants on the campuses that can cause these illnesses. Now that we finally know that the campus is contaminated, the high incidence rate begins to make sense and we now realize there is a serious public health problem on the campuses.

Finally, the EPA has fallen down on the job. While the school district promised immediate and comprehensive environmental testing of the soil and schools, no such testing has occurred. What little testing has occurred is not within acceptable standards (\*\*See attachment #1- Steve Armann 122013). Only a limited number of classrooms have been tested and for only one of the contaminants, PCBs, using methods that understate the extent of the contamination.

EPA has not only failed to require thorough testing, it has actually encouraged the school to limit its investigation in order to avoid finding out the extent of the contamination. Dr. Paul Rosenfeld, a preeminent EPA and DOD Superfund assessment and remediation contractor (headquartered in Santa Monica, CA) reports that EPA Officials told the school district to avoid further PCB testing in the schools' dust and caulking because, if the levels exceed the 50 ppm standard, as they likely will, the school district will have to incur the cost to remediate it. Dr. Rosenfeld has referred to the EPA's conduct to date as "an awful state of affairs." We agree. (\*\*See attachment #2- PR 020314)

Congressman Waxman, because of your track record of holding EPA accountable in the past, and because the public health of your constituents is at risk, we write you for your help. EPA agent Hugh B. Kaufman, who has been doing this for over forty years and has more experience than anyone else at the EPA investigating these kinds of uncontrolled hazardous material cases, has been helping us and is very familiar with the case. He has offered to brief you and your Energy and Commerce staff on the true nature of the case so that you can help us, as you have helped countless other communities in America.

Thank you in advance for your help.



Cami Winikoff  
President  
Malibu Community Alliance

\*\*\*\*\*

cc. Gina McCarthy, EPA Administrator  
Jared Blumenfeld, EPA Region IX Administrator  
Hugh B. Kaufman, EPA (OSWER)  
Dr. Patrick Wilson, Region IX, EPA  
Tom Huetteman, Associate Director, Waste Management, US EPA  
Steve Armann, Region IX, EPA  
Deborah Raphael, director, California DTSC  
Tom Cota, California DTSC  
Senator Barbara Boxer  
State Senator Fran Pavley  
State Assemblyman Richard Bloom  
Sandra Lyon, SMMUSD Superintendent  
LA County Supervisor (3rd District) Zev Yaroslavsky  
Paula Dinerstein, PEER  
Jennifer deNicola, Malibu Unites  
Mathy Stanislaus, Assistant Administrator, Office of Solid Waste and  
Emergency Response, US EPA